

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

VS.

LUIS FERNANDO GRACIA MARTINEZ

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§
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§

CRIMINAL ACTION NO. B-08-278

ORDER

BE IT REMEMBERED on this 4th day of August, 2008, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed April 18, 2008, wherein the defendant Luis Fernando Gracia-Martinez waived appearance before this Court and appeared before the United States Magistrate Judge Felix Recio for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The Magistrate Judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Luis Fernando Gracia-Martinez to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge is hereby adopted. The Court finds the Defendant Luis Fernando Gracia-Martinez guilty of the offense of alien unlawfully being present in the United States after having been convicted of an aggravated felony and deported, in violation of 8 U.S.C. §§ 1326(a) and 1326(b).

Signed this 4th day of August, 2008.



Andrew S. Hanen
United States District Judge